

1 ROBERT E. CAREY, JR., ESQ. (SBN 47556)  
CAREY & CAREY  
2 706 COWPER STREET  
P.O. BOX 1040  
3 PALO ALTO, CA 94302-1040  
650/328-5510  
4 650/853-3632 FAX

**\*E-FILED - 2/12/09\***

5 Attorneys for Defendant  
JOSE BONILLA  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JOSE BONILLA,

15 Defendant.  
16

CASE NO. CR-07-00251 RMW

STIPULATION TO CONTINUE  
DATE SET FOR MOTION TO  
WITHDRAW PLEA AND  
[] ORDER THEREON

17 ITS IS HEREBY STIPULATED, by and between THOMAS M. O'CONNELL,  
18 ESQ., attorney for the UNITED STATES OF AMERICA, and ROBERT E. CAREY,  
19 JR., counsel for Defendant JOSE BONILLA, that the date set for hearing of  
20 Defendant's motion to withdraw guilty plea which is currently set for February  
21 2, 2009, be continued to Monday, February 23, 2009, at 9:00 am.

22 Counsel for Mr. BONILLA requires the additional time in order to obtain  
23 certain factual declarations made relevant by the government's response to Mr.  
24 BONILLA'S motion, as well as to substantively reply to the government's  
25 memorandum.

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1 IT IS SO STIPULATED.

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3 DATED: January 28, 2009

CAREY & CAREY

4  
5 /S/  
6 ROBERT E. CAREY, JR. Attorneys for  
Defendant JOSE BONILLA

7  
8 DATED: 1/28, 2009

UNITED STATES OF AMERICA

9  
10 /s/  
11 THOMAS M. O'CONNELL,  
Assistant U.S. Attorney

12  
13  
14  
15 ORDER

16 GOOD CAUSE APPEARING THEREFORE, it is hereby ordered, adjudged,  
17 and decreed, that the hearing of Mr. BONILLA'S motion to withdraw plea of  
18 guilty currently set for February 2, 2009 be continued to Monday, February 23,  
19 2009, at 9:00 am.

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22  
23 DATED: 2/12, 2009



24 HON. RONALD M. WHYTE  
U.S. DISTRICT COURT JUDGE